

REMARKS

This communication is in regards to the Non-Final Office Action of July 15, 2008.

The Examiner has rejected claims 1-2 and 7-14 under 35 U.S.C. 102(e) as being anticipated by Eiref et al. (US 6,621,509). The Examiner has rejected claim 3 under 35 U.S.C. 102(e) as being unpatentable over Eiref et al. (US 6,621,509), in view of Kamen et al. (US 6,421,067). The Examiner has rejected claims 38, 40 and 56-58 under 35 U.S.C. 102(e) as being unpatentable over Martino et al. (US 6,662,177), in view of Eiref et al. (US 6,621,509).

Claim 1 was amended to include the limitation of claim 3. Additionally, Applicant has clarified in claim 1 that one of the surfaces displays an Electronic program guide for a plurality of channels and the other surfaces displays a PVR guide for a plurality of video files. By virtue of this amendment, it is respectfully submitted that claim 1 distinguishes over Eiref.

In the Office Action, the Examiner refers to the cube examples in column 8 of Eiref. However, the first example in column 8, lines 2-8 of Eiref is that the display area 70 has all of the planar thumbnails 110 on display area 70 corresponding to a television viewing guide ("a plurality of thumbnails 110 corresponds to a television viewing guide"). Each individual thumbnail 110 "corresponds to a particular time and channel . . . [and] indicated particular program."

In Eiref an individual three-dimensional cube 92 pops up when "one of the information thumbnails 110 is selected," as described in column 8, lines 9-10. However, one of ordinary skill in the art would clearly understand that the cube-shaped pop-up in Eiref is a pop-up providing information for single television program since the pop-up is generated when a thumbnail for a specific program is selected. Thus, an individual cube in Eiref cannot be an EPG for a plurality of television channels.

The Examiner also refers to the alternate examples in Eiref of video titles of DVD disks. However, it would be clear to one of ordinary skill in the art that in these alternate examples that the cube-shaped pop-up is generated when an individual thumbnail for a specific DVD title is selected. Thus, in the alternate example a cube could be generated for a DVD/VCR title but the cube would be specific to only that DVD/VCR title. Thus, a single cube in Eiref cannot be a PVR guide for a plurality of video files.

Moreover, Applicant can find no discussion or examples in Eiref that EPG data and PVR data are combined on a single cube. The examples in Eiref clearly indicated a cube is

generated when a specific thumbnail is selected. In the primary example, the cube is generated when a thumbnail for a single program is selected and thus a cube is related to a single program. Similarly, when a thumbnail for a DVD title is selected, a cube for only that specific DVD title is generated.

Applicant also notes that Eiref simply fails to teach or suggest the functionality of the claimed invention. As illustrated in the Figures, providing an EPG for a plurality of channels on one surface and a PVR guide for a plurality of video files on another (orthogonal) surface permits a user to look at both PVR and EPG data simultaneously. Moreover, since the two surfaces are rotatable with respect to the axis, a user can move the image to obtain a detailed view of one of the surfaces (such as the EPG surface) while maintaining a partial view of the other surface (e.g., the PVR guide surface). Thus the user has the benefit of preserving contextual information as they attempt to make an entertainment selection.

As an illustrative example of a benefit of the claimed invention a user might first ponder selecting a video file using the PVR guide. The user may then decide to check out what is on TV. In the claimed invention, the user can rotate the image to obtain a better view of the EPG guide while preserving contextual information about the PVR guide. The end user is therefore aided to switch back and forth in making choices between EPG and PVR selections. Thus, an individual planning an evening's entertainment can rotate the image back and forth as they contemplate TV and PVR choices while at the same time preserving contextual information.

In light of the above-described remarks, it is respectfully submitted that claim 1 fully distinguishes over the cited references. The cited references, when fairly interpreted, do not have a first surface having an EPG for a plurality of channels and a second, orthogonal surface having a PVR guide for a plurality of video files. An individual cube in Eiref is not an EPG for a plurality of channels and individual cube is not a PVR guide for a plurality of video files. Moreover, an individual cube in Eiref does not have both EPG and PVR data. An end-user in Eiref simply cannot rotate a single cube in Eiref to view both a true EPG guide and an PVR guide. Thus, Eiref fails to teach or suggest a number of claim limitations and also fails to teach or suggest the functionality of the claimed invention.

In view of the foregoing, Applicant respectfully submits that no further impediments exist to the allowance of this application and, therefore, requests an indication of allowability. However, the Examiner is requested to call the undersigned if any questions or comments arise.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.


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